



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): CHEN et al.
Serial No.: 10/000,227
Filing Date: November 30, 2001
For: COMPENSATED COLOR MANAGEMENT SYSTEMS AND METHODS
Group Art No.: 2872
Examiner: John Juba Jr.
Attorney Docket: 95121961.201001

"CERTIFICATE OF EXPRESS MAIL" -- #EV082610142US

DATE OF DEPOSIT: March 5, 2003

I, William D. McSpadden, hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage "VIA EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on, or before the date indicated above and is addressed to: Commissioner of Patents, Washington, DC 20231.

William D. McSpadden
(Signature)
3/5/03
(Date of Signature)

Commissioner for Patents
Washington DC 20231

RESPONSE TO OFFICE ACTION OF FEBRUARY 5, 2003

This communication is in response to the Office Action of February 5, 2003 with a one-month period of response through March 5, 2003.

Claim Numbering

The office action states that the application was filed without a claim numbered "36".

Accordingly, claims 37-60 were renumbered as claims 36-59, respectively, with corresponding change in claim dependencies. Applicants have made the same change in the filewrapper as required by the Office Action.

Restriction Requirement

The Office Action requires Applicants to elect from what appear to be two independent inventions and has traversed the requirement for election of a single species. Specifically, the Office Action states that the application contains:

- a. Group 1 – claims 1-16 and 32-41, drawn to pure polarization rotation of at least one spectral band (without compound or residual retardation), classified in class 359, subclass 494; and
- b. Group II – claims 17-31 and 42-49, drawn to half-wave rotation of at least two spectral bands with polarization reflection properties (offset optical axis), classified in class 359, subclass 498.

The Office Action further states that Claims 50-59 are drawn to a broader recitation of the combination and can be grouped with either Group 1 or Group II. The office action states that Group 1 (and claims 50-59) contains claims generic to the following patentably distinct beam splitting operations:

- a. Species Ia – at least one beam splitter with a polarizing effect, claims 10, 14, 15, 37, 51, 53 and 57;
- b. Species Ib – beam splitter with a wavelength selective effect, claims 11 and 38;

and

- c. Species Ic – half silvered mirror beam splitter, claim 12.

Further, the office action that's that Group II (and claims 50-59) contains claims generic to the following patentably distinct beam splitting operations:

- a. Species IIa – at least one beam splitter with a polarizing effect, claims 22, 27, 45, 51, 53 and 57;
- b. Species IIb – beam splitter with a wavelength selective effect, claims 23 and 46; and
- c. Species IIc – half-silvered mirror beam splitter, claim 24.

The Office Action requires Applicants to elect one of the independent inventions and a single disclosed species, even though the species requirement was traversed by the Examiner. This requirement for restriction is respectfully traversed.

Applicants provisionally elects Group I, claims 1-16 and claims 32-41, generic claims 50-59 and Species Ia, claims 10, 14, 15, 37, 51, 53 and 57.

CONCLUSION

Applicants submit that the requirement to elect one of the listed species (Ia-c and IIa-c) corresponding to certain claims has been traversed by the Examiner. In the alternative, Applicants provisionally elect Group I, claims 1-16 and claims 32-41, and generic claims 50-59.

Applicants do not believe that any fees are required with the filing of this response; however, in the event that additional fees are necessary to complete this filing, please deduct only those additional amounts from deposit account no. 13-0480 (Attorney Docket No. 95121961.201001) that are necessary to complete this filing.

Applicants respectfully request consideration and allowance of all claims. If Examiner

has any questions or other correspondence regarding this application, Applicants request that this communication and all future correspondence be sent to Applicants at the following address:

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Respectfully Submitted,


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March 5, 2003



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10/000,227

Filing Date

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First Named Inventor

Chen et al.

Group Art Unit

2872

Examiner Name

Juba

Attorney Docket Number

95121961.201003

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard Acknowledgement
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William D. McSpadden BAKER & MCKENZIE
Signature	
Date	03/05/2003

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